

**THE HONOURABLE SRI JUSTICE T.CH. SURYA RAO
AND
THE HONOURABLE SRI JUSTICE G. CHANDRAIAH**

W.P. No.22901 of 2006

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ORDER: (Per the Hon'ble Sri Justice T.Ch.Surya Rao)

The instant writ petition can be disposed of at the threshold, inasmuch as, the grievance of the petitioners seems to be that certain documents filed by the respondents herein along with the chief affidavit have been subsequently found to have been marked without notice to the petitioners.

When the petitioners noticed the same, they have filed four applications before the learned Special Tribunal in I.A. Nos.3125, 3269, 3270 and 3271 of 2006. All the four applications are pending consideration and that without disposing of the same, the learned Special Tribunal has posted the matter for arguments.

A perusal of the order dated 20-09-2006 shows since respondent No.2 did not appear in the matter, the Special Tribunal deemed that respondent No.2 had no further evidence and then directed the matter to be called on 25-09-2006 for arguments. While passing that order, perhaps the Special Tribunal might not have noticed the pendency of the said four applications. It is still open to the petitioners before addressing the arguments, to request the learned Special Tribunal to re-open the matter and to dispose of those four applications, in which, according to the petitioners, no orders yet been passed by the learned Special Tribunal. Without doing so, the petitioners are unnecessarily rushed to the Writ Court in having filed the writ

petition.

The Writ Petition is therefore disposed of at the threshold, accordingly. There shall be no order as to costs.

T. CH. SURYA RAO, J

Date: 06-11-2006

G. CHANDRAIAH, J

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